

# **EXHIBIT B**

1	1	3
1	IN THE UNITED STATE DISTRICT COURT	1
2	FOR THE EASTERN DISTRICT OF VIRGINIA	2
3	ALEXANDRIA DIVISION	3
4	-----x	4
5	INTELLECTUAL VENTURES I LLC and :	5
6	INTELLECTUAL VENTURES II LLC, : CIVIL ACTION NO.	6
7	Plaintiffs, : 1:13-cv-00740-	7
8	v. : AJT/TRJ	8
9	CAPITAL ONE FINANCIAL CORPORATION, :	9
10	CAPITAL ONE BANK (USA), N.A. and :	10
11	CAPITAL ONE, N.A., :	11
12	Defendants. :	12
13	-----x	13
14	CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER	14
15	Videotaped Deposition of MARY TANNENBAUM	15
16	Brownsville, Texas	16
17	Thursday, October 17, 2013	17
18	9:02 a.m.	18
19		19
20	Job No.: 45888	20
21	Pages: 1 - 212	21
22	Reported by: Sylvia Kerr, CSR, RPR, CRR	22
2	2	4
1	Videotaped Deposition of MARY TANNENBAUM,	1
2	held at:	2
3		3
4		4
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13	Pursuant to Notice, before Sylvia Kerr	13
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15	Reporter and Certified Realtime Reporter in and for	15
16	the State of Texas.	16
17		17
18		18
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19	ALSO PRESENT:	19
20	ALBERT GONZALEZ, Videographer	20
21		21
22		22
1	1	4
1	C O N T E N T S	1
2	EXAMINATION OF MARY TANNENBAUM	2
3	By Mr. Lee	3
4		4
5		5
6	E X H I B I T S	6
7	(Attached to transcript)	7
8	TANNENBAUM DEPOSITION EXHIBIT	8
9	Exhibit 1 Amended Subpoena to Testify	9
10	at Deposition	10
11	Exhibit 2 Amended Subpoena to Testify	11
12	at Deposition	12
13	Exhibit 3 Non-Party Mary Tannenbaum's	13
14	Objections and Responses to Capital	14
15	One Financial Corp	15
16	Exhibit 4 Mary Tannenbaum Curriculum Vitae	16
17	Exhibit 5 Limited Liability Company Agreement	17
18	of HotRay LLC	18
19	Exhibit 6 Certificate of Formation of	19
20	HotRay LLC	20
21	Exhibit 7 Meeting of Partners of Union Beach	21
22	Limited Partnership 3/23/2012	22

<p style="text-align: right;">165</p> <p>1 MR. THOMPSON: Objection, form.</p> <p>2 <b>A. A profile keyed to a user identity, that's a</b></p> <p>3 <b>standard database concept that's been around. The</b></p> <p>4 <b>difference in mine is that whereas a standard -- at the</b></p> <p>5 <b>time existing database profile might have contained my</b></p> <p>6 <b>name and my address and whatever, the profile didn't in</b></p> <p>7 <b>and of itself cause any action to be taken. It was, if</b></p> <p>8 <b>you will, a static database. My profile will result in</b></p> <p>9 <b>action being taken potentially, depending on how the</b></p> <p>10 <b>profile is established.</b></p> <p>11 Q. Where in this claim does it talk about taking</p> <p>12 an action?</p> <p>13 <b>A. In the second part of the claim.</b></p> <p>14 Q. You're talking about the means for presenting</p> <p>15 transaction summary data?</p> <p>16 <b>A. Yes, sir.</b></p> <p>17 Q. You didn't come up with the idea of having</p> <p>18 means for presenting transaction summary data, did you?</p> <p>19 <b>A. No.</b></p> <p>20 MR. THOMPSON: Objection, form.</p> <p>21 Q. (By Mr. Lee) And what is transaction summary</p> <p>22 data?</p>	<p style="text-align: right;">167</p> <p>1 <b>because I can only know my own mind and not what</b></p> <p>2 <b>necessarily anyone else wanted. But to provide for</b></p> <p>3 <b>myself the kinds of things that I wanted. And one of</b></p> <p>4 <b>the things I wanted was flexibility built in so that,</b></p> <p>5 <b>depending on the situation I found myself in, I could</b></p> <p>6 <b>have a limit or a notification for a number of things.</b></p> <p>7 <b>Something, for instance, in a particular category or I</b></p> <p>8 <b>could have wanted a limit notifying me for an individual</b></p> <p>9 <b>transaction.</b></p> <p>10 Q. And are you saying that prior to your claimed</p> <p>11 invention nobody had ever thought of tracking individual</p> <p>12 transactions?</p> <p>13 MR. THOMPSON: Objection, form.</p> <p>14 <b>A. Let me parse your question out loud as I think</b></p> <p>15 <b>through it. Individual transactions -- could you -- I'm</b></p> <p>16 <b>sorry. As I was parsing, I lost part of it. Could</b></p> <p>17 <b>you -- would you please repeat?</b></p> <p>18 Q. Are you claiming that you're the first person</p> <p>19 to come up with the idea of tracking individual</p> <p>20 transactions?</p> <p>21 <b>A. Okay. Thank you.</b></p> <p>22 MR. THOMPSON: Objection, form.</p>
<p style="text-align: right;">166</p> <p>1 <b>A. Transaction summary data is a listing of a</b></p> <p>2 <b>summary of an individual transaction, which may have one</b></p> <p>3 <b>or multiple components.</b></p> <p>4 Q. So you're saying transaction summary data is</p> <p>5 information about a single transaction; is that right?</p> <p>6 MR. THOMPSON: Objection, form.</p> <p>7 <b>A. It could be a single transaction. It could be</b></p> <p>8 <b>a tabular representation of multiple transactions over a</b></p> <p>9 <b>time period.</b></p> <p>10 Q. And those one or more transactions have to be</p> <p>11 for the one or more user selected categories; is that</p> <p>12 right?</p> <p>13 MR. THOMPSON: Objection, form.</p> <p>14 <b>A. For a preset limit to be invoked, it would have</b></p> <p>15 <b>had to have been established in a specific user selected</b></p> <p>16 <b>category.</b></p> <p>17 Q. And a category isn't the same thing as a</p> <p>18 specific transaction, right? Categories track</p> <p>19 transactions?</p> <p>20 MR. THOMPSON: Objection, form.</p> <p>21 <b>A. In my mind -- and this, again, was part of the</b></p> <p>22 <b>intent of the invention, was to provide for myself,</b></p>	<p style="text-align: right;">168</p> <p>1 <b>A. Individual transactions had been tracked</b></p> <p>2 <b>because certainly the credit card companies had the</b></p> <p>3 <b>ability to bill for those individual transactions, so I</b></p> <p>4 <b>know they could track them because they could always</b></p> <p>5 <b>find me every month.</b></p> <p>6 <b>But what my invention provided was the ability</b></p> <p>7 <b>to track it in a manner that I selected that would be</b></p> <p>8 <b>meaningful to me. So that if I needed to know that I</b></p> <p>9 <b>had gone over a limit that I had set, I'd get the</b></p> <p>10 <b>information. Or if someone else who had a sub account</b></p> <p>11 <b>card under my account, which I would eventually be</b></p> <p>12 <b>responsible for paying for if they didn't, it would give</b></p> <p>13 <b>me also the kind of flexibility that I might need to</b></p> <p>14 <b>prevent them from making a transaction if necessary, and</b></p> <p>15 <b>if so desired.</b></p> <p>16 <b>And my invention, although it was certainly not</b></p> <p>17 <b>by any means the first person to track individual</b></p> <p>18 <b>transaction, mine, I believe, gave the first ability to</b></p> <p>19 <b>track ahead of time and know how individual transactions</b></p> <p>20 <b>fit into my ongoing timely budgetary planning.</b></p> <p>21 Q. Are you done with your answer?</p> <p>22 <b>A. Yes, I am.</b></p>